

OWEN HARTY,

Plaintiff,

v.

PENNSYLVANIA REAL ESTATE
INVESTMENT TRUST,

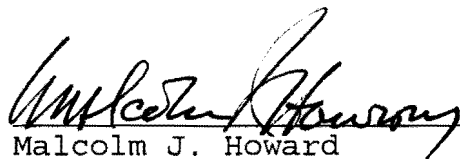
Defendant.

fact that is (a) concrete and particularized and (b) actual or imminent; (2) a causal connection between the injury and the conduct complained of; and (3) the likelihood that a favorable decision will redress the injury. Id. at 560-61.

The court has carefully reviewed this matter and finds that plaintiff has demonstrated enough at this stage of the litigation to establish standing. The court notes that plaintiff has, by affidavit, informed the court that he has concrete plans to return to defendant's business the first week of August 2011. See City of Los Angeles v. Lyons, 461 U.S. 95, 111 (1983) (plaintiff must show substantial likelihood of a "real or immediate threat that he will be wronged again.")

Therefore, defendant's motion to dismiss [DE #8] is DENIED.

This 14th day of February 2012.



Malcolm J. Howard
Senior United States District Judge

At Greenville, NC
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